

CHAPTER NO. 723

SENATE BILL NO. 135

By Fowler

Substituted for: House Bill No. 298

By Cochran

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 6, Part 1, relative to the attorney general and reporter.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-6-106, is amended by adding the following sentence to the end of the section:

Notwithstanding any provision of this section or any other law to the contrary, the attorney general and reporter or district attorney general shall inform the governor of, and consideration shall be given to whether, the person or firm to be employed as additional counsel:

(1) To defend the state in any action is then serving as counsel for a party in any action by that party against the state and whether the action, if adjudicated in that party's favor, is likely to result in an increase in state expenditures; or


(2) To prosecute any action on behalf of the state is then serving as counsel in defense of any action against the state.

SECTION 2. Nothing in this act shall be construed to rescind, impair or affect any contracts in effect on June 30, 2004, and shall only apply to contracts entered into, or renewed, on or after July 1, 2004.

SECTION 3. This act shall take effect July 1, 2004, the public welfare requiring it.

PASSED: May 10, 2004


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of May 2004


PHIL BREDESEN, GOVERNOR